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**BENETTON U.S.A. CORPORATION d/b/a**  
**UNITED COLORS OF BENETTON**

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

ROBERT DISTER, on behalf of himself  
and all others similarly situated,

Plaintiffs,

v.

BENETTON U.S.A. CORPORATION  
d/b/a UNITED COLORS OF  
BENETTON,

Defendant.

Case No. C 07-1379 SI

**STIPULATION AND [PROPOSED] ORDER  
RE DISMISSAL OF ACTION**

1 Please take notice that, pursuant to Rule 41(a)(1), Federal Rules of Civil Procedure,  
2 Plaintiff Robert Dister ("Plaintiff") and Defendant Benetton U.S.A. Corporation d/b/a United  
3 Colors of Benetton ("Defendant"), by and through their respective counsel, hereby stipulate to  
4 the dismissal with prejudice of Plaintiff's individual action against Defendant.

5 It is further stipulated that the allegations asserted on behalf of the putative class be and  
6 hereby are dismissed without prejudice.

7 **IT IS SO STIPULATED.**

8 DATED: June 30, 2008

**KELLER GROVER LLP**

9  
10 By: /s/  
11 ERIC A. GROVER

12 *Attorneys for Plaintiff*  
13 *ROBERT DISTER*

14 DATED: June 30, 2008

**DILLINGHAM & MURPHY, LLP**

15  
16 By: /s/  
17 EDWARD E. HARTLEY

18 *Attorneys for Defendant*  
19 *BENETTON U.S.A. CORPORATION*  
20 *D/B/A UNITED COLORS OF BENETTON*  
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**[PROPOSED] ORDER**

Upon the Stipulation of the parties pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, the Court hereby dismisses WITH PREJUDICE the individual action Plaintiff Robert Dister ("Plaintiff") against Defendant Benetton U.S.A. Corporation dba United Colors of Benetton. The Court dismisses WITHOUT PREJUDICE the allegations asserted on behalf of the putative class.

**IT IS SO ORDERED.**



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Honorable Susan Illston  
United States District Judge